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Attorneys for Worldclear Limited

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF UTAH, CENTRAL DIVISION

WORLDCLEAR LIMITED,
Plaintiff,

v.

AKIRIX, LLC,
Defendant.

AKIRIX, LLC
Counterclaim Plaintiff,

v.

WORLDCLEAR LIMITED and DAVID
HILLARY,
Counterclaim Defendant.

JOINT STATUS REPORT

Civil No. 1:17-cv-00155-HCN-DAO

Judge Howard C. Nielson, Jr.

Magistrate Judge Daphne A. Oberg

Plaintiff and Counterclaim Defendant Worldclear Limited (“Worldclear”) and Defendant and Counterclaim Plaintiff Akirix, LLC (“Akirix”) submit the following joint status report pursuant to this Court’s October 30, 2024 Order. [See Order (Dkt. 159)].

INTRODUCTION

This case involves a relationship between Worldclear and Akirix whereby Akirix provided certain transactional account services to Worldclear. As part of that relationship, Worldclear maintained financial accounts with Akirix. The funds in these accounts were held by Akirix in a common bank account. For reasons that are disputed, Akirix terminated its relationship with Worldclear. At the time of the termination, the difference between what Worldclear had deposited and what Akirix had returned to Worldclear or sent to third parties, was approximately \$1,330,221.79. Worldclear contends it is owed this money; Akirix disputes this. No pretrial motions are currently pending, but the parties reserve their rights to file all appropriate pretrial motions; otherwise, the matter is ripe for the September 15-23, 2025 trial setting.

JOINT STATUS REPORT

In response to the Court's inquiries during the October 30, 2024, status conference, Worldclear and Akirix advise as follows:

1. The parties do not waive their right to proceed before a United States District Court Judge and do not consent to have a United States Magistrate Judge conduct all further proceedings, including trial, at the magistrate's earliest convenience.
2. The parties further agree to participate in a good-faith mediation in an attempt to settle their dispute. The parties will endeavor to agree on a mediator and conduct mediation within 60 days of the September 15, 2025 trial date.
3. Worldclear opposes any further discovery in this matter or modification of the discovery cutoff, as this matter has been pending more than for seven years (since October 4, 2017), and the discovery deadline passed more than three years ago. Further, the time for discovery

previously was extended multiple times, including at the request of Akirix, who sought and was allowed to file numerous counterclaims and defenses over a year after the deadline for doing so had passed. [See Dkt. 21 (12/12/17 Sch. Order); Dkt. 39 (5/1/18 1st Am. Sch. Order); Dkt. 41 (10/17/28 2d Am. Sch. Order); Dkt. 96 (1/14/20 Sch. Order); Dkt. 99 (3/20/20 4th Am. Sch. Order)].

DATED this 2nd day of December, 2024.

JAMES DODGE RUSSELL & STEPHENS, P.C.
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/s/ Mitchell A. Stephens

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